

REMARKS

Claims 21-32, 34-44, 46-51 and 53-55 were pending in the application at the time the present Office Action was mailed. In this response, claims 21, 38, 40, and 47 have been amended, and no claims have been added or canceled. Accordingly, claims 21-32, 34-44, 46-51 and 53-55 remain pending in the present application.

The status of the application in light of the Office Action is as follows:

(A) Claims 21-32, 34-44, 46-51 and 53-55 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,385,619 to Eichstaedt et al. ("Eichstaedt") in view of U.S. Patent No. 6,757,866 to Dey et al. ("Dey").

The undersigned attorney and his colleagues, Joe Brennan and Robert McIver, wish to thank Examiner Abel-Jalil for engaging in a telephone conference on July 10, 2007, to discuss the present Office Action. During the course of the telephone conference, the parties discussed some possible amendments to claim 21 to further distinguish this claim over Eichstaedt. If the Examiner requires further details regarding the interview, please contact the undersigned attorney.

A. **Response to the Section 103 Rejections**

Claims 21-32, 34-39 and 55 were rejected as being unpatentable over Eichstaedt in view of Dey. Applicants respectfully disagree with these rejections. Independent claim 21 is directed to a method of receiving an alert from an alerting user regarding a network accessible item and notifying a participant (who is not the alerting user) that the network accessible item is of current interest. More specifically, claim 21 expressly recites this feature: "wherein: the alerting user is not the participant." In other words, claim 21 recites that the alerting user and the participant are different entities. Eichstaedt does not teach or suggest this feature. Instead, Eichstaedt describes a system in which a user's access to a

set of structured documents is analyzed for the purposes of pushing customized information back to that same user. (Eichstaedt at 3:14-19; see also Figure 2.)

Without conceding the merits of the rejection of claim 21, applicants have nevertheless amended claim 21 to further clarify that the alerting user and the participant are different entities. More specifically, claim 21 has been amended to recite:

receiving from the participant at a first location ...;
receiving in real time from an alerting user at a second location ... ;
processing the alert at a third location different from the first and second locations, ...:

As previously noted, Eichstaedt does not teach or suggest an alerting user and a participant as two different entities. Therefore, Eichstaedt cannot teach or suggest that the participant is at a first location, the alerting user is at a second location, and that the alert is processed at a third location different from the first and second locations. The single user described in Eichstaedt can only be at a single location. Furthermore, Dey fails to cure the deficiencies of Eichstaedt with respect to claim 21. Accordingly, Eichstaedt and Dey, alone or in combination, cannot support a Section 103 rejection of claim 21. Therefore, the rejection of independent claim 21 and corresponding dependent claims 22-32, 34-39, and 55 should be withdrawn.

Claims 40-44 and 46 were rejected as being unpatentable over Eichstaedt in view of Dey. Applicants respectfully disagree with these rejections as well. Independent claim 40 is directed to a system for notifying a participant that a network accessible item is of current interest, and includes features that are at least generally similar to the features discussed above with reference to claim 21. Accordingly, for at least the reasons set forth above, Eichstaedt and Dey, alone or in combination, fail to teach or suggest these features. Therefore, the rejection of independent claim 40 and corresponding dependent claims 41-44 and 46 should be withdrawn.

Claims 47-51, 53 and 54 were rejected as being unpatentable over Eichstaedt in view of Dey. Applicants respectfully disagree with these rejections as well. Independent claim 47 is directed to a computer program product for notifying a participant that a network accessible item is of current interest, and includes features that are at least generally similar to the features discussed above with reference to claim 21. Accordingly, for at least the reasons set forth above, Eichstaedt and Dey, alone or in combination, fail to teach or suggest these features. Therefore, the rejection of independent claim 47 and corresponding dependent claims 48-51, 53, and 54 should be withdrawn.

Applicant respectfully requests that the Examiner reconsider the pending claims in view of the above remarks and amendments.

Please charge any deficiency in fees or credit any overpayment to our Deposit Account No. 50-0665, under Order No. 345288017US from which the undersigned is authorized to draw.

Dated: July ____, 2007
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Respectfully submitted,

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